

From S. P.
China, June 28.
For S. P.
Sierra, June 28.
From Vancouver:
Mama, July 16
For Vancouver:
Makura, July 15

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CAUCUS DECIDES FREE SUGAR 1916

ATTYS. THAYER AND WEAVER CONSTRUE LAW DIFFERENTLY

TREASURER M'CARTHY
NOW DOES NOT KNOW
WHEN TAXES ARE DUE

License Renewal Question In-
terests Entire Islands and
Large Sum of Money
Is Involved

Differing with the legal opinion written by Attorney General W. W. Thayer upon the construction of a small statute upon which hundreds of thousands of dollars in Hawaii turn, P. L. Weaver, first deputy city and county attorney, submitted an opinion this morning to Col. C. J. McCarthy, city and county treasurer, which is diametrically opposite to the one issued by Attorney Thayer for Territorial Treasurer Conkling.

According to the opinion of Mr. Weaver only the taxes which became delinquent May 15 need be paid before a license can be issued to an applicant, while in the judgment of Mr. Thayer the entire taxes for the year, the last installment of which will not be delinquent until November 15, must be paid before a license can be renewed.

Every bank in the county, as well as the plantations, have been waiting for Mr. Weaver's opinion with keen interest, for upon it something like \$80,000 turns on Oahu alone, it is said. Treasurers of other counties have likewise been waiting for the opinion and a wireless has been sent to the treasurer of Hawaii county giving the substance of Mr. Weaver's conclusions. It is expected that Hawaii's attorneys will be requested to render a decision on the same points.

The opinions of both Mr. Thayer and Mr. Weaver called for the construction of a small statute relating to the issuance of licenses, in which it is said that a county treasurer is not to issue a license until the applicant shows a certificate that all taxes which are due have been paid. The difficulty springs from the question of what interpretation the legislature wished to be placed on the words "all taxes due."

In the opinion of Mr. Thayer it is held that until the applicant has paid both installments, the taxes for the entire year, a license cannot be issued to him. This, of course, means that the applicant is not only obliged to pay the taxes due and delinquent May 15, but also those which are not delinquent until November 15.

Construction of Phrase.
Differing from this is the opinion of Mr. Weaver. He holds that the interpretation of the phrase "all taxes due" is meant to be taken in the sense that they are not delinquent and that the county treasurer, upon being shown a certificate that the applicant has paid his May 15 taxes, is authorized to issue a license to him, July 1, which is the opening of the fiscal year.

Both of the attorneys have found some basis for the opinion in the case of Keola vs. Maui Auto company. Mr. Thayer largely resting his opinion on it, while Mr. Weaver distinguishes it from the facts presented in the present situation. In that case the supreme court held that all taxes for a certain year are due in the month of January of the year next following.

It is here that the two lawyers meet head on, the attorney general holding that it is conclusive of the point, while Mr. Weaver distinguishes it and declares that when it was decided—July 6, 1911—the present statute under interpretation was not a law.

Opinion of Thayer.
Says Mr. Thayer in his opinion on the point:

"The supreme court, in the case of Keola versus the Maui Auto company, last year held that all taxes for a certain year are due in the month of January of the year next following—that is, that the taxes for 1912 were due last January. It also held that the territory may bring action to compel their payment at any time after they fall due, or before they become delinquent, in May or in November."

"Therefore, the payment of all taxes for 1912 became due in January of this year, and the new statute says they must be paid before the individual or company owing them can get his license from the treasurer."

"The supreme court's decision last year virtually means that no taxes shall be delinquent, and in conjunction with the new license statute it practically will abolish the custom of tax collections semi-annually so far as persons engaged in business are concerned."

Mr. Weaver had the opinion of the attorney general before him in preparing his statement. It had been sent to him by Col. McCarthy. He shows that he has given considerable

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Monuments

The largest stock in the city to select from.

M. HENDRICKS, LTD.



County Treasurer C. J. McCarthy
Whose duty with regard to the issuance of licenses is the subject of two dissenting legal opinions

EASY TIME AT VOLCANO CAMP NEARING END

Maguire et al Will Be Subject
to Regulations Governing
All Other Prisoners

JOHN H. MABY IN CHARGE

High Sheriff Henry Determined
That No Favoritism Be
Shown in Jail

High Sheriff William Henry stated this morning that he does not intend to remove Charles Maguire and Rufus Lyman, former Hawaii county officials, from the volcano convict camp on the Big Island, reports from Hilo to the contrary notwithstanding. He has heard the rumor that these prisoners are leading an easy life in their alleged confinement and enjoying all the luxuries of home, and intends to remedy such condition, if it be true, by placing John H. Maby in charge of the volcano camp on July 1.

Maby, it will be remembered, is the former county jailer at Hilo who was ousted from that position last year. Most of the officials in charge of the volcano camp are appointed by the Hawaii county supervisors, but the territorial sheriff keeps one representative there. The incumbent, Henry announces, is to be brought back to Honolulu July 1 and Maby, in taking the place, will be instructed specifically to see that no irregularities are permitted or undue liberties granted the former county officials, such as may have given rise to the stories that have been coming from the branch penal colony intermittently ever since Lyman's incarceration.

Since it is understood that there was no friendship wasted between Maby and these men when they were all a part of Hawaii county's official family, it is figured the former county jailer will hold strictly to the letter of his instructions in enforcing discipline on his former associates when he gets them under his personal care. "I have heard rumors of affairs at the volcano jail that all was not right," admitted High Sheriff Henry this morning, "but none of it has come to me directly in any manner that would warrant official action. However, I believe if there has been any laxity in the management Maby will correct it. I have confidence in him and believe I can trust the affair in his hands entirely."

BANANA CLAIMS MAY
BE SETTLED FOR
12 CENTS ON DOLLAR

Two hundred and sixty banana claims, aggregating \$76,000 have been filed with Secretary Walter F. Drake, of the banana claims commission and the prediction is made that the claimants will have to settle with the territory on a basis of about 12 cents for every dollar set forth in their demands.

The legislature appropriated only \$40,000 to pay the banana claims. More than 1,000 forms have been taken from the secretary by the claimants and Drake expects that at least 500 of these will be returned, filled in with demands for recompense for the plants destroyed by the board of health in its mosquito campaign. At the present rate, the total amount asked will just about double the \$76,000 figure, already on file.

WILSON-UNDERWOOD PLAN WINS SHAFROTH GETS 10 SUPPORTERS

Two Votes Cast For Retention of Existing Duty—Tariff-Slash-
ing Continues With Wool Schedule—Protests of
Westerners Given Scant Hearing

[Associated Press Cable]

WASHINGTON, D. C., June 25.—The Wilson-Underwood forces in the upper house triumphed signally today over the protests of Senators Walsh and Newlands and the announced opposition of the Louisiana par, Thornton and Ransdell.

The revision of the sugar schedule with free sugar in 1916 as its feature was finally accepted by the senate caucus.

Senator Shafroth's amendment, which would accept the sugar tariff revision as proposed by the Wilson-Underwood bill of approximately a cent a pound until 1916, and would impose a duty of half a cent a pound thereafter, was defeated in caucus vote, getting but ten Democratic supporters. Two senators voted to continue the existing duties. Free raw wool was also ratified.

Youth's Clothing Found at Waialua; Believed Drowned

HARROLD SMITH, PROTEGE OF WALTER DILLINGHAM AND
EMPLOYEE OF O. R. & L. CO., LEFT FOR A VACATION
TRIP SATURDAY AND HAS NOT BEEN HEARD OF SINCE

Harrold Smith, an orphan, who came to the islands last spring with Walter Dillingham's polo ponies, the polo players having taken a fancy to the boy, is believed to be drowned. His clothes were found yesterday by fishermen as they walked along the beach near Haleiwa. They were half concealed under a tree, as if the lad had left them there while he dove into the sea for a swim.

Since Sunday evening when he failed to return to the home of Mrs. Sarah Grace, of Kaimuki, where he had lived since his arrival here, fear has been felt for him, and employees in the auditing department of the Oahu Railway & Land Company were active in attempting to locate him.

The last seen of him was Sunday afternoon when he left the train at Haleiwa, saying that he was "out for a good time." It is believed that he went in swimming shortly after arriving at Haleiwa and was swept out by the strong current. He is said to have been a very poor swimmer.

Young Smith met John Grace, the son of Mrs. Sarah Grace, while the Dillingham ponies were at San Diego and returned here with them. When he arrived employment was found for him at the O. R. & L. company, in the auditing department, where he became rapidly acquainted with the work.

Deputy Sheriff Oscar Cox at Waialua came upon a pile of clothing including a hat, coat, trousers, shoes, shirt, socks and other wearing apparel, all neatly arranged and laid out under a tree near the beach, bordering the Haleiwa Hotel premises. An examination of the clothing brought to light some papers and letters bearing the name of Harrold I. Smith. One or more cards were found and upon these the home address of the young

SUGAR MEN GIVE ALL DATA ASKED

No Effort Is Made to Sidestep
the 'Insidious Lobby'
Investigation

That the representatives of the sugar industry, who were called before the "insidious lobby" probe committee were willing to give all information in their possession relative to the fight that has been made to keep sugar from being placed on the free list is evidenced by the following Associated Press report:

WASHINGTON, D. C., June 12.—How the government printing office and the postoffice department helped in the fight against free sugar and the congressional frank sent tons of anti-free sugar literature circulating throughout the land, was brought out today by the senate lobby investigation.

Truman G. Palmer, Washington representative of the United States sugar industry, was on the stand the entire day, and the subject of a sweeping cross-examination, and testified that more than 1,500,000 copies of arguments in behalf of beet sugar had been turned out by the government printing office, made public documents by order of congress, and had ridden on the franks of senators and representatives to the ends of the country, postage free.

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man was given as the Young Men's Christian Association.

Deputy Cox immediately got into communication with his chief, Sheriff William Jarrett.

According to the story told by Cox, the clothes were first noticed under the tree early last Monday morning. Several passing Hawaiian fishermen thought nothing of the matter at the time. In returning from their expedition late in the evening and noting the same clothing, apparently undisturbed, they reported the matter to Deputy Sheriff Cox.

Nothing of any value was found in the clothing.

Inquiry at Haleiwa indicates that Smith was not at this time a patron of the hotel at far as he had not stopped over at Waialua.

The young man is understood to have some few months ago been employed at Kahuku. Among his effects was an unexpired railway pass issued a few days ago for a round trip from Honolulu to Kahuku, the terminus of the line.

KAUAI TEACHERS ARE APPOINTED AND THOSE FOR HAWAII NAMED

Passing upon the names of those teachers who will hold positions in the schools of Kauai during the 1913-1914 school year, the commissioners of education this morning launched themselves upon the lengthy task of considering and voting to approve the appointments of teachers throughout Hawaii for the coming year as recommended by Superintendent Gibson.

The Kauai appointments were named by Superintendent Gibson during the session yesterday afternoon, but it was not until this morning that the list was approved by the commissioners and the names given for publications. While there have been many changes in the teaching staffs of last year, but few teachers have either been dropped or resigned.

However, a large number of transfers have been made and a number of new teachers given positions.

Following the reading of the minutes of the session yesterday, the commissioners this morning finished

FOWLS MAY BE BARRED FROM FISH MARKET

The squawking of hens and the quacking of ducks, sweet to the ears of the Celestials, will be heard no more at the fish market if the orders of Gabriel Keaweakahu and David Kahaleaahu, inspectors of fish at the market, are carried out. The Chinese merchants who are partially engaged in selling poultry have been directed to discontinue keeping their birds in the market.

Whether the order will be carried out is a question. A number of the merchants declare that the inspectors have no authority in the matter, and that any such regulation in the marketing of poultry must be effected by ordinance. David Kahaleaahu stated this morning that the only purpose of the order was to prevent the Chinese from keeping their poultry under cover of the market and with-

(Continued on page two)

TERRITORY TO SAVE MONEY IN USE OF MAPS

Thirty thousand to forty thousand dollars will be saved to the territory by the action of the war department, which has consented to the use of the topographical maps prepared by the army officials here in preparing a similar map of the island of Oahu for the territory. Word to this effect was received through the last mail by Governor Frear.

The business of making topographic and hydrographic surveys of the various islands has been in progress the last year or eighteen months and the maps of some of the islands have been completed, that of Oahu, however, remaining unfinished. The federal government and the territory jointly assume the expense of this work. The surveys of Oahu have been made in complete form by the officials of the regular army stationed here, for their use in planning fortifications. These are very thorough in detail, the result of many months of painstaking toil by the army engineers. Their use by the territory's engineering department will save a repetition of the same routine labor.

BRUTAL DRIVER MAY SOON LAND IN JAIL

The chauffeur whose display of brutality in running down Yamamoto, a Japanese employee of the Lewis stables, while driving a big high powered machine on Monday evening is predicted will soon be landed in the wide spreading net set for his capture by the police department.

The several city garages have been visited by officers. In one instance it is now known that a chauffeur deliberately entered a garage and taking a machine from the place is said to have kept it out the greater part of the night.

The police now have a line on this party and a close watch has been set over his movements. A prosecution for the theft of the machine may follow provided the owner of the automobile can be induced to enter complaint.

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BALKAN ALLIES BATTLE BULGARIA HITS FIRST

Servian Army in Macedonia Attacked and Both Sides Take to
Artillery—Heavy Losses Inflicted in Dispute Over Con-
quered Territory

[Associated Press Cable]

BELGRADE, Servia, June 25.—Bitter warfare between Bulgaria and Servia, growing out of the dispute over conquered territory, is on. News was received here today of a hot battle in Macedonia, where the Bulgarians attacked the Serbs, and both sides, using artillery, inflicted heavy losses.

McNab's Charges Bear Fruit In A Hurry Now

[Associated Press Cable]

WASHINGTON, D. C., June 25.—Representative Julius Kahn, of California, said today that the dismissal of District Attorney McNab of San Francisco will not interfere with the carrying out of his resolutions of inquiry into the delay of justice in the Diggs-Caminetti and Western Fuel Company cases.

Row In Philippine Society

[Associated Press Cable]

WASHINGTON, D. C., June 25.—Manuel Quezon, Philippine resident commissioner, has created a sensation by resigning from the Philippine Society. He declares that the real purpose of the society is to promote colonialism for the Philippines and prevent independence, and he declares that he cannot swallow this policy.

Major Lenihan Hurried Here

[Associated Press Cable]

FORT LEAVENWORTH, Kan., June 25.—Maj. Michael J. Lenihan of the Seventh Infantry has been ordered to embark on Saturday for Honolulu.

Major Lenihan was assigned to the 2nd Infantry some weeks ago, and later was sent to Fort Leavenworth by special orders of the war department, for temporary duty. That he is to join the 2nd as soon as practicable is indicated by today's cable dispatches.

M'NAB PRAISED AS BEST ATTORNEY OF DISTRICT

[Associated Press Cable]

SAN FRANCISCO, Cal., June 25.—Judge Van Vleet of the United States district court today made a statement in which he praised Attorney McNab highly, declaring him the best attorney the district has ever had.

NEW INDICTMENTS AGAINST DIGGS AND CAMINETTI

[Associated Press Cable]

SACRAMENTO, Cal., June 25.—New indictments were handed down by the grand jury today against Drew Caminetti, son of the commissioner-general of Immigration, and Maury I. Diggs. They are now charged with the abandonment of their children.

WASHINGTON, D. C., June 25.—The House Democratic caucus today is considering whether or not the commerce court should be continued.

YOUTH SLIGHTLY INJURED BY AUTOMOBILE

Joaquin Freitas, a Portuguese, aged nine, residing near the corner of Holborn and Kapiolani avenues is an inmate of Queen's Hospital suffering from a broken rib as well as other injuries, which however, are not considered as serious.

The lad was a victim of a collision with automobile number 797, belonging to George Beckley and driven by Dan Poki, in which were seated Mrs. August Dreier, Jr., a Japanese maid and child, according to reports which reached the police.

According to the story of the accident as related by eye witnesses, little or no blame can be attached to the party in the auto. The lad is said to have been numbered among a party of children and their parents who were standing near a Japanese refreshment wagon at the Ewa entrance to the Public Baths.

In attempting to recover his hat the boy crossed the road and having regained the headgear started back to rejoin his parents when the machine approached at a moderate pace, the front wheel brushing young Freitas to one side of the road, throwing him down.

The accident occurred shortly after five o'clock in the evening and at a time when a number of vehicles were passing along this driveway.

Poki, the driver, is believed by the police to have exercised every precaution in his endeavor to avoid running down the child who passed immediately in front of the advancing automobile. Investigation by the police brought out the statement that the chauffeur swerved the auto to a point where it was less than three feet from the curb and this precaution is believed to have had much to do in saving the lad from injuries that might have proved far more serious.

TODAY'S MAJOR LEAGUE RESULTS

[Associated Press Cable]

NATIONAL LEAGUE.
At Cincinnati—Cincinnati 12, Chicago 4.
At Philadelphia—Philadelphia 11, Brooklyn 8.
At New York—New York 5, Boston 1; Boston 4, New York 3.
At St. Louis—Pittsburg 9, St. Louis 1 (10 innings).

AMERICAN LEAGUE.
At Chicago—Chicago 4, St. Louis 1.
At Washington—Philadelphia 14, Washington 2.
At Boston—New York 5, Boston 2.
At Detroit—Detroit 4, Cleveland 2.

SUGAR

SAN FRANCISCO, Cal., June 24.—Sugar: 96 degrees test, 3.36 cents. Previous quotation, 3.33 cents. Beets: 88 analysis, 9a. 2d. Parity, 3.92 cents. Previous quotation, 9a. 3d.

WILL PAVE ROAD FROM ORPHANAGE TO STREET

After making a tour of Kalihi Valley, following the last meeting of the supervisors, final agreement for the paving of the valley road from the orphanage to King street was reached, and the city and county engineer has been directed to prepare specifications preparatory to calling for bids for the work.

The paving, it has been agreed, is to be asphalt and the contract will be let out in sections. For years the residents of Kalihi have been importuning the supervisors for a better road to their homes, but it was only during the caucuses on the budget for the ensuing semi-annual period, when it was agreed that \$100,000 should be set aside for the betterment of Honolulu's thoroughfares, that the city fathers approved of the proposal to pave the Kalihi Valley road.